

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

RAYMOND LIZANA

PLAINTIFF

VS.

CAUSE NO: 1:08CV501-LTS-MTP

STATE FARM FIRE AND CASUALTY COMPANY

DEFENDANT

**MOTION OF THE DEFENDANT, STATE FARM FIRE AND CASUALTY
COMPANY, FOR ADDITIONAL TIME TO RESPOND TO PLAINTIFFS'
MOTIONS [74, 76, 84] TO COMPEL**

Comes now the defendant, State Farm Fire and Casualty Company, and moves the Court for additional time in which to respond to plaintiffs' motions [74, 76, 84] to compel.

1. Plaintiffs filed three motions to compel subject to the instant motion: (1) on December 10, 2009, they filed Plaintiffs Motion [74] to Compel Emails and Electronic Communications and Data; (2) also on December 10, 2009, they filed Plaintiffs' Motion [76] to Compel Claims Handling and Claims Practices Information and Data; and (3) on December 16, 2009, they filed Plaintiffs' Motion [84] to Compel Information Regarding Defendant's Insurance Agreements for Liability, Reimbursement or Indemnification.

2. The motion [74] to compel emails encompasses State Farm Fire responses to one interrogatory and five requests for production. The motion is seventeen pages long and is accompanied by a memorandum of law that is twenty-nine pages long.

3. The motion [76] to compel claims handling information encompasses State Farm Fire responses to three interrogatories and six requests for production. It is eighteen pages long and is accompanied by a memorandum of law that is twenty-nine pages long.

4. The motion [86] to compel insurance information adds another four pages and a memorandum in support that is twelve pages long.

5. Together, the three motions encompass a wide array of potential additional documents and information.

6. State Farm Fire requests additional time to respond to the motions. State Farm Fire does not request time for the purpose of delay. The length and complexity of the motions are described above, and counsel for State Farm Fire would also point out the current holiday season as grounds for the extension.

7. Moreover, counsel for these plaintiffs has filed the same or substantially the same three motions to compel in two other civil actions being handled by counsel for State Farm Fire: *Marion S. Lebon, et al v. State Farm Fire and Casualty Company*, Civil Action Number 1:08cv509-LTS-RHW and *New Light Baptist Church v. State Farm Fire and Casualty Company*, Civil Action Number 1:08cv560-HSO-RHW.

8. Finally, contemporaneous with the above-listed motions to compel filed in three pending civil actions, plaintiffs have filed a total of four motions to quash in the *New Light Baptist Church* and *Lizana* matters. While State Farm Fire does not herein request additional time to respond to the motions to quash, they are additional motions that will need responses and whose response times are running simultaneously with those of the motions to compel.

WHEREFORE, PREMISES CONSIDERED, the defendant, State Farm Fire and Casualty Company, requests the Court grant additional time until January 7, 2009, in which to file responses to the motions. Given the straightforward nature of the instant motion, State Farm Fire requests to be excused from the L.U.CIV.R. 7 requirement of submitting a memorandum of law.

Respectfully submitted,

STATE FARM FIRE AND CASUALTY
COMPANY

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BY: /s/ H. Scot Spragins
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CERTIFICATE OF SERVICE

I, H. SCOT SPRAGINS, one of the attorneys for the Defendant, STATE FARM FIRE & CASUALTY COMPANY, do hereby certify that I have on this date electronically filed the foregoing document with the Clerk of Court using the ECF system which sent notification of such filing to all counsel of record.

DATED, this the 23rd Day of December, 2009.

/s/ H. Scot Spragins

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